

AMENDED
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP 19 2003Returned to applicant for correction OCT 02 2003Corrected application filed NOV 18 2003Map filed NOV 18 2003

The applicant **Kenneth D. Gardner, Jr. and Dorothy Rowe Gardner (husband & wife)** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Unnamed Spring**
2. The amount of water applied for is **1.0 c.f.s. second feet**.
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **irrigation and domestic purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **80.74 acres**
 - (b) Stockwater, state number and kind of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within NW¼ NE¼ Section 21 T12N, R23E, MDM, or at a point from which the N¼ corner of said Section 21 bears N 37 degrees, 48 minutes, 14 seconds W, a distance of 113.16 feet.**
6. Place of Use **W¼ NE¼ Section 21 T12N, R23E, MDM.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **A series of sumps and springs will be collected in a ditch system and diverted to the place of use**
9. Estimated cost of works **\$40,000.00**
10. Estimated time required to construct works **3 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**
12. Remarks:

By **s/Michael D. Buschelman**
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared sg/ cmf

Protested _____

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that there is no unappropriated water available at the source and that its approval would conflict with existing water rights and would threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 22nd day of October, A.D. 2004.



State Engineer